

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/558,920	REGAN, DAVID	
	<b>Examiner</b>	<b>Art Unit</b>	
	MARISSA THEIN	3627	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 6, 2009.
2. ☒ The allowed claim(s) is/are 19-36 and 76-81.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 5/18/09.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date <u>2-6-09 and 5-11-09</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date <u>5/5-09</u> .</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|---|

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Kay Hill on May 5, 2009.

### ***Information Disclosure Statement***

The information disclosure statements (IDS) submitted on February 6, 2009 and May 11, 2009 are being considered by the examiner.

### ***Examiner's Comment***

New corrected drawings are required in this application because some of the Figures contain improper shading, which may affect clarity when reproduced.

The application has been amended as follows:

### ***In the Claims***

Claims 46-75 have been canceled.

Claim 19 is amended.

**In claim 19, page 3, line 3:**

Line 3 has been changed to read as follows:

--electronically completing a selected tax form via the tax service server, wherein completing the selected --.

**In claim 19, page 3, line 14:**

Line 14 has been changed to read as follows:

--form has been submitted and includes information regarding a status of--.

**In claim 23, page 4, line 3:**

Line 3 has been changed to read as follows:

--access the electronic inbox upon a successful authentication of the identity of the--.

**In claim 28, page 5, line 2:**

Line 2 has been changed to read as follows:

--medium for tax form submittal verification that when executed comprises:--.

**In claim 28, page 6, line 12:**

Line 12 has been changed to read as follows:

--filed tax form has been submitted and includes information regarding a status of the--.

**In claim 32, page 7, line 3:**

Line 3 has been changed to read as follows:

--permitting the user to access the electronic inbox upon a --.

***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

Claim 19

The prior art of record neither anticipates nor fairly and reasonably teach a method for tax form submittal verification comprising, *inter alia*: maintaining an electronic inbox for the user; generating correspondence at the tax service server, wherein the correspondence includes a reminder that the user file a tax form; sending the correspondence to the electronic inbox of the user, and sending the user a separate notification that the electronic inbox includes the correspondence via the network; electronically storing a receipt record of the filed tax form in a government database in communication with the government entity tax service server substantially immediately upon completed transmittal of the tax form, wherein the receipt record represents an indication that the filed tax form has been submitted and includes information regarding the status of the filed tax form and wherein the receipt record is distinct from the filed tax form; and sending the receipt record of the filed tax form to the electronic inbox of the user.

The most closely applicable prior art of record is the article "WebTurboTax Brings the Full Power of TurboTax to the Web". The article discloses WebTurboTax which allows taxpayers to easily complete all the same Federal and State income tax returns with the convenience of preparing and filling their tax returns on the Web (paragraph 2). WebTurboTax features a Smart Interview System which offers navigation and streamlined data entry that speeds and simplifies the tax preparation and filing process (paragraph 4). The Smart Interview System includes an Interview Navigator,

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customized to each user's unique tax return and builds a customized topic list as the taxpayer travels through the interview (paragraph 5). Taxpayers create a secure user name and password which allows them to access their return from any computer (paragraph 6). Data is secure and uses SSL encryption technology to protect taxpayers' returns and all personal information associated with them (paragraph 8).

The article further discloses that when filing electronically, the system sends all returns directly to Internal Revenue Service (IRS) computers (paragraph 8). The IRS also sends an electronic date stamp for each return successfully filed, which the system forwards to its users (paragraph 8). However, the article is silent to maintaining an electronic inbox for the user; generating correspondence at the tax service server, wherein the correspondence includes a reminder that the user file a tax form; sending the correspondence to the electronic inbox of the user, and sending the user a separate notification that the electronic inbox includes the correspondence via the network; electronically storing a receipt record of the filed tax form in a database in communication with the tax service server substantially immediately upon completed transmittal of the tax form, wherein the receipt record represents an indication that the filed tax form has been submitted and includes information regarding the status of the filed tax form and wherein the receipt record is distinct from the filed tax form; and sending the receipt record of the filed tax form to the electronic inbox of the user.

Internal Revenue Bulletin Rev. Proc. 99-39 neither anticipates or fairly and reasonably teaches a method for tax form submittal verification comprising, *inter alia*: maintaining an electronic inbox for the user; generating correspondence at the tax

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service server, wherein the correspondence includes a reminder that the user file a tax form; sending the correspondence to the electronic inbox of the user, and sending the user a separate notification that the electronic inbox includes the correspondence via the network; electronically storing a receipt record of the filed tax form in a database in communication with the tax service server substantially immediately upon completed transmittal of the tax form, wherein the receipt record represents an indication that the filed tax form has been submitted and includes information regarding the status of the filed tax form and wherein the receipt record is distinct from the filed tax form; and sending the receipt record of the filed tax form to the electronic inbox of the user. The

Internal Revenue Bulletin teaches e-file Program which combines the Form 941 Electronic Filing program with an on-line filing program that allows a taxpayer to electronic file a form using a personal computer, modem and commercial tax preparation software (page 533, Section 1. Purpose). Furthermore, the Bulletin teaches when an electronic filer is a transmitter, he or she must retrieve the acknowledgment file (in which the Service states whether it accepts or rejects the electronic portion of a taxpayer's return for processing) within two work days of transmission; match the acknowledgment filed to the original transmission file and send to the on-line filer either: an acceptance notice within two days of retrieving the acknowledgement file or a rejection notice within 24 hours of retrieving the acknowledgment file; immediately contact the appropriate service center for further instructions if any acknowledgement of acceptance for processing has not been received by the Transmitter within two work

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days of transmission or if a Transmitter receives an acknowledgment for a return that was not transmitted on the designated transmission (page 536, Section 9, 9.03).

U.S. Patent No. 5,915,022 to Robinson neither anticipates or fairly and reasonable teaches a method for tax form submittal verification comprising, *inter alia*: maintaining an electronic inbox for the user; generating correspondence at the tax service server, wherein the correspondence includes a reminder that the user file a tax form; sending the correspondence to the electronic inbox of the user, and sending the user a separate notification that the electronic inbox includes the correspondence via the network; electronically storing a receipt record of the filed tax form in a database in communication with the tax service server substantially immediately upon completed transmittal of the tax form, wherein the receipt record represents an indication that the filed tax form has been submitted and includes information regarding the status of the filed tax form and wherein the receipt record is distinct from the filed tax form; and sending the receipt record of the filed tax form to the electronic inbox of the user.

Robinson discloses a method and apparatus' for authenticating electronic transactions carried out over public networks such as the Internet. A transaction record which identifies the electronic transaction to one party is created. The transaction record is encrypted by a compacter controlled by the intuition so as to allow later deception by the institution and to prevent alteration by others. A digital receipt is formed by appending the encrypted transaction record to a plaintext message describing the transaction in plaintext. (Abstract)

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Claim 28 recite a computer program claim, comprising, *inter alia*, a code segment that maintains an electronic inbox for the user; a code segment that generates correspondence at the tax service server, wherein the correspondence includes a reminder that the user file a tax form; a code segment that sends the correspondence to the electronic inbox of the user, and sends the user a separate notification that the electronic inbox includes the correspondence via the network; a code segment that electronically stores a receipt record of the filed tax form in a database in communication with the tax service server substantially immediately upon completed transmittal of the tax form, wherein the receipt record represents an indication that the filed tax form has been submitted and includes information regarding the filed tax form and wherein the receipt record is distinct from the filed tax form; and a code segment that sends the receipt record of the filed tax form to the electronic inbox of the user.

This computer program claim is allowable over the prior art of record for reasons consistent with those identified above with respect to claim 19.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

World Publication No. WO 99/09504 to Donlavage et al. discloses an interactive tax payment system for facilitating the entry and validation of data prior to electronic submission.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA THEIN whose telephone number is (571)272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. T./  
Examiner, Art Unit 3627  
May 18, 2009

/F. Ryan Zeender/

Supervisory Patent Examiner, Art Unit 3627